

## CIVIL DOCKET

~~PARSON~~ BOHANON

68-C182

## UNITED STATES DISTRICT COURT

Jury demand date: 7-25-68 (waived)  
8-6-68 by plaintiff.h

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
LOUIS F. TUCKER  vs  DANIEL LYNN PRATER AND EDITH BITNER, as administratix of the Estate of Aruthur S. Bitner, Deceased,		<b>For plaintiff:</b> Nesbitt & Nesbitt S. C. Fullerton III 22½ E. Central Ave. Miami, Okla. 74354					
		<b>For defendant:</b> Best, Sharp, Thomas & Glass by Joseph M. Bes 200 Franklin Building Tulsa, Okla. 74103  Palmer, Shepherd, Maner & Armstrong Center Building Tulsa, Oklahoma 74101 74119					
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 8-1-68	Clerk		7-25-68	Sharp	15 00		
			8-1-68	C/D #5		15 00	
J.S. 6 mailed 7-1-69	Marshal						
Basis of Action: Personal Injury-Petition for Removal.	Docket fee						
	Witness fees						
Action arose at: Ottawa County	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-25-68	Petition For Removal, filed. js	
7-25-68	Bond On Removal, filed, Daniel Lynn Prater, Principal & Fidelity & Deposit Company of Maryland as Surety. js (\$500.00)	
7-25-68	Notice of Filing of Petition & Bond for Removal, filed. js	
7-25-68	✓ Answer, filed by defendant, Daniel Lynn Prater, filed. b	
7-25-68	Jury Trial Demanded, filed. js	
7-25-68	Joinder in Removal, filed. js by Palmer, Shepherd, Maner & Armstrong.	
8-5-68	Acknowledgment of the clerk of the district court in and for Ottawa County, Okla., of receipt of copy of notice, petition & bond for removal, filed. w	
8-5-68	Motion of defendant, Edith Bitner, as Administratrix of the Estate of Arthur S. Bitner, Deceased, to dismiss and strike, filed. b	
8-5-68	Brief in support of motion to dismiss and motion to strike of defendant Edith Bitner, as Administratrix of the Estate of Arthur S. Bitner, filed. b	
8-6-68	Demand for Jury trial by plaintiff filed. h	
8-9-68	Answer brief of plaintiff to motion to dismiss and motion to strike of defendant, Edith Bitner as administratrix of the Estate of Arthur S. Bitner, deceased filed. h	
8-22-68	Transcript of Summons, etc., filed in District Court of Ottawa County, Oklahoma, filed. e	
3-4-69	Ordered that this case is consolidated with 68-C-259 and is reassigned to Judge Bohanon. (LB-J)m	
3-10-69	Order that this case is consolidated with 68-C-259, filed. (LB-J)m	
3-28-69	Case set for pre-trial 4-9-69 at 9:30 a.m. (LB-J)m	
4-9-69	Pre-trial hearing held. Motion of deft. Edith Bitner, Administratrix of the Estate of Arthur S. Bitner, Deceased, to dismiss and strike is overruled. Deft's exhibits 1 thru 16 offered and admitted and withdrawn by Mr. Shepherd. Jury heretofore waived. (LB-J)(FS-CSR)m	
4-29-69	Case set for non-jury trial Tuesday 5-13-69 at 1:30 p.m. (LB-J)m	
5-13-69	Case tried to the Court. Case heretofore consolidated with 68-C-259. Stipulation and order signed and filed in open court over objections by the govt. to changes. Parties to submit briefs within 10 days, and ruling taken under advisement. (LB-J)m	
6-4-69	Findings of fact and conclusions of law, filed. (LB-J)m	
6-5-69	Judgment, filed and entered, that judgment is awarded in 68-C-182 in favor of deft. Edith Bitner, as Admr. of Est. of Arthur S. Bitner, deceased, including judgment for personal injuries, hospital expenses, etc. all in 68-C-182; and that judgment is entered in favor of Edith Bitner, Admr. of Est. of Arthur Scott Bitner, deceased, on counter-claims of Betty Ruth Gurley, Doyle D. Gurley & Doyle D. Gurley as guardian ad litem of Mary Lynn Gurley. (LB-J)m (copies mailed to counsel)	
6-16-69	Motion for new trial of Betty Ruth Gurley, Doyle D. Gurley, and Doyle D. Gurley, as guardian ad litem for Mary Lynn Gurley and Louis F. Tucker, filed. g (in file of No. 68-C-259)	
6-16-69	Brief in support of motion for new trial, filed. g (in 68-C-259)	
7-10-69	Notice of appeal by USA, filed. cpies mailed to USCA and all counsel of record. g	
8-4-69	Order overruling motion for new trial, filed and entered. (LB-J)g	
8-4-69	Hearing held on motion for new trial of Betty Ruth Gurley, Doyle D. Gurley and Doyle D. Gurley as guardian ad litem for Mary Lynn Gurley and Louis F. Tucker. Ordered that motion for new trial is overruled. (LB-J)m	
8-22-69	Govt's motion to dismiss appeal, filed. m	
8-26-69	Order dismissing appeal, filed. (LB-J)g cpy to USCA & counsel.	